

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

Ahmed Ismail and Lisa Barrow	§	
	§	
Plaintiffs,	§	CIVIL ACTION NO. 2:17-cv-00278
v.	§	
	§	
Volvo Group North America, LLC d/b/a	§	
Volvo Trucks North America	§	JURY
	§	
Defendant.	§	

**DEFENDANT VOLVO GROUP NORTH AMERICA, LLC,’S
SUPPLEMENTAL INITIAL DISCLOSURES**

To: All parties by and through their Attorneys of Record

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Attorney-in-charge for Plaintiffs

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Local Counsel for Plaintiffs

Volvo Group North America, LLC, erroneously named as “Volvo Group North America, LLC d/b/a Volvo Trucks North America (“Volvo”), makes the following supplemental disclosures pursuant to the Federal Rules of Civil Procedure.

- A. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

Volvo Group North America, LLC

Custodian of Records and/or other personnel, including:

Charles Bird, Sr. Product Assurance Engineer

Seth Dunfee, Business Analyst Distribution Process Control

Vickie Wukich, Sales Administrator Order Engineering Department

Tim LaFon, Vice President , Regulatory Affairs

Todd Monson, Volvo Service Representative Assigned to Nuss and ATS

Jeremy Taylor, Regional Service Director – Central

Rodd Hott

c/o Darrell L. Barger

Darrell L. Barger (*Attorney-in-charge*)

J. Reid Simpson

Noe Reyna

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Defendant and personnel with knowledge of relevant facts

Ahmed Ismail (York County, Pennsylvania)

Lisa Barrow (York County, Pennsylvania)

c/o Mr. Richard C. Angino, Esquire

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Email: rsigler@bandaslawfirm.com
Plaintiff

Nuss Truck & Equipment
Custodian of Records, employees, agents, and other personnel, including:
Phil Watkins, Vice President, Customer Support
Bradley Nuss
Jim Johnson
6500 Highway 63 South
Rochester, Minnesota 55904
Telephone: 651-633-4810
Direct: 651288-3331
Seller of the subject truck/vehicle

Anderson Trucking Service, Inc.
Custodian of Records, employees, agents, and other personnel, including:
Warner Peterson
Ryan Willis
725 Opportunity Drive
St. Cloud, Minnesota 56301
(866) 277-1033
Owner of the subject vehicle

Freightliner of St. Cloud
Custodian of Records, employees, agents, and other personnel
701 15th Ave. SE
St. Cloud, MN 56302
Telephone: 320-257-7270
Facsimile: 320-257-7275
Performed repair work on the subject vehicle

ZF/TRW Automotive U.S. LLC
Custodian of Records, representatives, agents, and other personnel, including:
Marty Nemanic, Chief Metallurgist ZF TRW
Dave Huddleston, Chief Engineer ZF TRW
24175 Research Dr.
Farmington Hills, MI 48335-2642
(248) 478-7210
Manufactured the steering gear

Texas Department of Public Safety
Custodian of Records, officers, representatives, agents, and other personnel, including:
Steven Petrick (#14571)
5805 North Lamar Blvd.
Austin, Texas 78752
(512) 424-2000
Investigating Authority/Agency

Christus Spohn Hospital—Shoreline
Custodian of Records, doctors, nurses, staff, or representatives, including:
Alainya V. Tomanec, M.D.
600 Elizabeth Street
Corpus Christi, Texas 78404
(361) 881-3000
AND
919 Hidden Ridge
Irving, Texas 75038
(469) 282-2000
Plaintiff's Healthcare Provider

York ENT Associates
Custodian of Records, doctors, nurses, staff, and representatives, including:
Andrew R. Shorb, M.D.
924 Colonial Avenue
Building E
York, Pennsylvania 17403
(717) 843-9089
Plaintiff's Healthcare Provider

Christopher Royer, Psy.D
And Custodian of Records, doctors, nurses, staff, and representatives
1150 Lancaster Blvd.
Liberty Plaza III, Suite 101
Mechanicsburg, Pennsylvania 17055
(717) 697-7260
Plaintiff's Healthcare Provider

GMBC Center for Neurology
Custodian of Records, doctors, nurses, staff, and representatives, including:
Michael Sellman, M.D., P.A.
6701 N. Charles Street, Suite 1630
Towson, Maryland 21204
(443) 849-2000
Plaintiff's Healthcare Provider

Concentra Medical Centers

Custodian of Records, doctors, nurses, staff, and representatives, including:

Timothy Allen, M.D.

5080 Spectrum Road

400 West

Addison, Texas 75001

AND

15812 Midway

Addison, Texas 75001

AND

2141 Pennsylvania Avenue

York, Pennsylvania 17404

AND

970 Loucks Road

Suite D

York, Pennsylvania 17404

(717) 764-1008

Plaintiff's Healthcare Provider

WellSpan York Hospital

Custodian of Records, doctors, nurses, staff, and representatives, including:

Craig A. Sullivan, D.O.

Andrew R. Shorb, M.D.

Michael Kleinman

Margaret M. Taylor-Brown, CRNP

1001 S. George Street

York, Pennsylvania 17403

(717) 851-2345

Plaintiff's Healthcare Provider

WellSpan Rehabilitation

Custodian of Records, doctors, nurses, staff, and representatives, including:

Hilary S. Gans, M.S., OTR/L

Julie Reimold, P.T., DPT

Narrah A. Brown, M.S., CCC-SLP

Gale Mitchell, P.T.

Donald E. Douglas, P.T.

1575 Bannister Street

York, Pennsylvania 17404

(717) 812-5850

Plaintiff's Healthcare Provider

WellSpan Physiatry/WellSpan Neurosurgery

Custodian of Records, doctors, nurses, staff, and representatives, including:

Henry A. Richardson, M.D.

228 St. Charles Way

Suite 300

York, Pennsylvania 17403

(717) 812-2212

Plaintiff's Healthcare Provider

Colonial Medical Center

Custodian of Records, doctors, nurses, staff, and representatives, including:

Scott Cherry, M.D.

955 S. George Street

York, Pennsylvania 17403

(717) 846-3457

Plaintiff's Healthcare Provider

Lancaster Neuroscience and Spine Associates

Custodian of Records, doctors, nurses, staff, and representatives, including:

William T. Monacci, M.D.

1671 Crooked Oak Dr.

Lancaster, Pennsylvania 17601

(717) 569-5331

Plaintiff's Healthcare Provider

WellSpan Medical Group

Custodian of Records, doctors, nurses, staff, and representatives, including:

Joel W. Winer, M.D.

Richard A. Doyka, Jr., CRNP

Cindy Qingxin Shi

Paul S. Singer, M.D.

1803 MT Rose Ave.

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York, Pennsylvania 17403

(717) 851-6816

Plaintiff's Healthcare Provider

WellSpan Neurology

Custodian of Records, doctors, nurses, staff, and representatives, including:

Jiang Fengjun, M.D.

228 St. Charles Way

Suite 200

York, Pennsylvania 17402

(717) 851-5503

Plaintiff's Healthcare Provider

WellSpan Orthopedics

Custodian of Records, doctors, nurses, staff, and representatives, including:

Dean A. Nachtigall, D.O.

2250 E. Market Street

York, Pennsylvania 17402

(717) 812-6670

Plaintiff's Healthcare Provider

J&J Medical, Inc.

Custodian of Records, doctors, nurses, staff, and representatives

341 West Main Street B

Birdsboro, Pennsylvania 19508

AND

P.O. Box 100

Birdsboro, Pennsylvania 19508

(610) 404-4900

Plaintiff's Healthcare Provider

Thomas Hart Family Practice Center

Custodian of Records, doctors, nurses, staff, and representatives, including:

James Fletcher, D.O.

Wendy Wild, PsyD

1001 S. George Street

York, Pennsylvania 17403

(717) 851-2521

Plaintiff's Healthcare Provider

In addition to the individual(s) specifically named above, Volvo generally identifies the following categories of individuals: (1) additional representative(s) from various departments within Volvo to address various issues that may arise during discovery and representatives from Volvo to address the manufacture of the subject product; (2) Any and all healthcare providers for Plaintiffs, including any EMS personnel that treated either or both of Plaintiffs; (3) Plaintiffs' relatives, friends, associates, neighbors, employers, co-workers, physicians and other health care providers, pharmacists, and any other individuals with discoverable information relevant to this case, including those who may have information regarding Plaintiffs' medical, occupational, family, and lifestyle histories; (4) other persons identified in Plaintiffs' Rule 26 Initial

Disclosures; (5) all persons named or referred to in discovery; and (6) the parties to this litigation and their respective personnel and/or custodians of records.

B. A copy of, or a description by category and location, of all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the disclosing party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

Pursuant to Rule 26(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Volvo lists below the categories of documents and information of which Volvo, at this early stage, is aware:

1. Documents or materials constituting or relating to specifications for the product at issue.
2. Documents and/or reports related to safety and/or performance of the product at issue.
3. Non-privileged reports generated from inspections of the subject vehicle and components allegedly at issue.
4. Photographs depicting product at issue and/or its components.
5. Owner's manual relating to the product at issue.
6. Maintenance manual relating to the product at issue.
7. Parts or Service manual relating to the product at issue.
8. Engineering drawings of parts or components pertinent in this case.
9. Service bulletins, if any, pertinent to the issues in this case.
10. Maintenance and/or repair records.
11. Any applicable Warranty.
12. Any applicable sales records.
13. Medical records of Plaintiffs
14. Pharmacy records for Plaintiffs
15. Educational records for Plaintiffs

16. Employment records for Plaintiffs
17. Financial records of Plaintiffs
18. Journals, datebooks, diaries or other documents relating to Plaintiffs' claims, diagnoses, treatment, prognosis, activities, appointments and damages.
19. Any records of Plaintiffs not specifically referenced above.
20. Curriculum Vitae of experts and rebuttal experts.
21. Reports of experts and rebuttal experts.
22. All depositions taken in this action.
23. All documents produced in this action.
24. All videotapes of depositions taken in this action.
25. All interrogatory answers served in this action by Plaintiffs.
26. All responses to any discovery requests served in this action by any party.
27. All exhibits relied upon by any expert witness.
28. Any exhibits listed on Plaintiffs' exhibit list.
29. Demonstrative aids and exhibits.
30. All rebuttal and impeachment exhibits.
31. TRW report from steering gear inspection in St. Cloud, Minnesota.
32. VOLVO 000001-002489.

Volvo identifies the foregoing categories of documents without waiving its right to supplement, modify, or delete said categories. Demonstrative aids and exhibits are available for inspection upon request, including but not limited to demonstrative aids to be used by Volvo's liability experts.

C. **A computation of each category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which each such computation is based, including materials bearing on the nature and extent of injuries suffered.**

Volvo does not allege that it suffered any damages as a result of any acts or omissions by Plaintiffs or any other party to this litigation. Plaintiffs have the burden of proving damages in this case; Volvo disputes liability and, to the extent that it is necessary and appropriate, will contest Plaintiffs' damage claims. Volvo has pled (on information and belief) contributory negligence as an affirmative defense that would reduce the Plaintiffs' damages, if any. Volvo has not pled negligence as a cause of action seeking damages from the Plaintiffs. Volvo may seek attorney's fees and costs.

D. **For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.**

Please see insurance policy information previously produced to Plaintiffs.

Respectfully submitted,

HARTLINE DACUS BARGER DREYER LLP

/s/Darrell L. Barger

Darrell L. Barger (*Attorney in charge*)

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**ATTORNEYS FOR DEFENDANT VOLVO
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Certificate of Service

The undersigned counsel certifies that on this 4th day of June, 2018, a true and correct copy of the foregoing Initial Disclosures has been forwarded to counsel of record listed below in accordance with the Federal Rules of Civil Procedure.

VIA CM/ECF SERVICE

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/s/Darrell L. Barger

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